

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA	)	
	)	No. 07 CR 731
v.	)	Magistrate Judge Valdez
	)	
NORINYE BENITEZ	)	

**GOVERNMENT'S MOTION TO DISMISS  
COMPLAINT WITHOUT PREJUDICE**

The UNITED STATES OF AMERICA, by its attorney, PATRICK J. FITZGERALD, United States Attorney for the Northern District of Illinois, respectfully moves this Court for a dismissal without prejudice of the complaint in the above-captioned case pursuant to Fed. R. Crim. P. 48(a). The defendant was indicted under a different case number on December 5, 2007.

Respectfully submitted,

**PATRICK J. FITZGERALD**  
United States Attorney

By: s/Diane MacArthur  
**DIANE MacARTHUR**  
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CERTIFICATE OF SERVICE

The undersigned Assistant United States Attorney hereby certifies that in accordance with Fed. R. Civ. P. 5, LR5.5, and the General Order on Electronic Case Filing (ECF), the following document:

GOVERNMENT'S MOTION TO DISMISS COMPLAINT  
WITHOUT PREJUDICE

was served pursuant to the district court's ECF system as to ECF filers, if any, and was sent by mail on December 6, 2007, to the following non-ECF filer:

Rose Lindsay  
Federal Defender Program  
55 East Monroe  
Chicago, Illinois

Respectfully submitted,  
PATRICK J. FITZGERALD  
United States Attorney

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